

REMARKS

Claims 44, 50-71, 75-88, 91, and 92 are pending. By this Amendment, independent claims 44, 50, 52, 76, and 92 are amended and dependant claim 61 is cancelled.

Claims 50-53, 55, 57, 67, 71, 76, 77, 82 and 92 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 2,286,427 (Levensten) in view of U.S. Patent No. 2,995,409 (Simonsen). Applicant respectfully traverses this rejection.

Amended independent claim 50 calls for an organizer for the storage of jewelry having a top section and a middle section located underneath the top section. The top section has a plurality of drawers that, in a first position are stacked one on the other, and, in a second position, are slid out to an extended position to expose the interior of each drawer. The middle section has a compartment.

Amended independent claim 52 calls for an organizer for the storage of jewelry also having a top section and a middle section located under the top section. The top section has a first plurality of lift out drawers that are coupled to one another by a pair of hinges. The middle section has a drawer.

Amended independent claim 76 calls for an organizer for the storage of jewelry having a top section with a first plurality of lift out drawers coupled to one another and a compartment located underneath the first plurality of lift out drawers.

Amended independent claim 92 calls for an organizer for the storage of jewelry that has a top section with a lift out drawer and a compartment located underneath the lift out drawer.

As previously stated, the Examiner is using hindsight to combine the teachings of Levensten and Simonsen. The Examiner states that “an ordinary artisan would have recognized that including a plurality of drawers in the invention of Levensten ‘427 as in Simonsen ‘409 would **clearly** increase the utility of the organizer, and such a combination would be a common goal in the art of organizers, hence the name ‘organizers.’”

Levensten is directed to a box or chest for tools. It has an open top tray section 3 with a drawer compartment with a plurality of drawers located underneath the top tray section 3. Because the article is directed to storing tools, Applicant believes that one of ordinary skill in the art would not want to modify the top section of Levensten since one would want to store large items such as hammers, wrenches, for example, in that section of the box or chest.

Simonsen is directed to a carrying container such as a tool box, tackle box or trunk. It has a top tray member and a large bottom container member. Thus, like Levensten, Simonsen provides the larger open bottom container member to hold larger items.

Thus, applicant reiterates that there is no suggestion or motivation to combine these references, in fact, one of ordinary skill in the art would be dissuaded from making the combination since it would interfere with the intended functionality of Levensten and Simonsen. Applicant respectfully requests that the Examiner withdraw the rejection.

Claims 50-53, 55, 67, 76, 77 and 82 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,045,202 (Simon) in view of Simonsen.

Applicant respectfully traverses this rejection. Simon states that “interior spaces or compartments 12 and 24 may be segregated with various partitions, ring receiving portions or other partitioning sections and cushions, also long known in the prior art and also not forming any part of the invention.” (Col. 4, lines 61-65). Simon explains that “[i]n use, it is clear that when the jewelry box 2 is in the configuration shown in FIG. 2, that one may gain rapid and easy access to the upper compartment 12 of member 4 merely by pushing in the direction of the arrow seen in FIG. 8 with either one hand or two hands, and that after accessibility is achieved, one may merely slide member 4 back into superposition with respect to member 4, as shown in the drawings.” (Col. 5, lines 38-46).

Thus, there is no suggestion to combine Simon and Simonsen, and, in fact, it would not be possible to do so since such a combination would render Simon inoperable for its intended purpose. Applicant respectfully requests that the Examiner withdraw the rejection.

Claims 54 and 83 are rejected under 35 U.S.C. §103(a) as being unpatentable over Simon in view of Simonsen and, in the alternative, over Simon in view of Simonsen and further in view of U.S. Patent No. 1,600,830 (Lewis). Claims 54 and 83 are indirectly dependent upon claims 52 and 76 respectively and are believed to be patentable for at least the same reason. The Examiner is respectfully requested to withdraw the rejection.

Claims 56, 63, 64, 80 and 81 are rejected under 35 U.S.C. §103(a) as being unpatentable over Simon in view of Simonsen and further in view of U.S. Patent No. 4,511,041 (Waitzman). Claims 56, 63, 64, 80 and 81 are dependent upon already discussed independent claims and are believed to be patentable for at least the same reasons. The Examiner is respectfully requested to withdraw the rejection.

Claims 58-60, 62, 70, 75, 78, 79, 88 and 91 are rejected under 35 U.S.C. §103(a) as being unpatentable over Levensten in view of Simonsen and further in view of U.S. Patent No. 2,268,637 (Bernstein). Claims 58-60, 62, 70, 75, 78, 79, 88 and 91 are dependent upon already discussed independent claims and are believed to be patentable for at least the same reasons. The Examiner is respectfully requested to withdraw the rejection.

Claim 61 is rejected under 35 U.S.C. §103(a) as being unpatentable over Simon in view of Simonsen and further in view of British Application No. 2,217,298 (Wood). Claim 61 is cancelled.

Claims 65, 66, 84 and 85 are rejected under 35 U.S.C. §103(a) as being unpatentable over Simon in view of Simonsen and further in view of U.S. Patent No. 1,131,713 (Kramer). Claims 65, 66, 84, and 85 are dependent upon already discussed independent claims and are believed to

be patentable for at least the same reasons. The Examiner is respectfully requested to withdraw the rejection.

Claims 44, 68, 69, 86 and 87 are rejected under 35 U.S.C. §103(a) as being unpatentable over Levensten in view of Simonsen and U.S. Patent No. 1,369,577 (Townley).

Amended independent claim 44 calls for an organizer for the storage of jewelry having a top section and a middle section. The top section has a plurality of lift out drawers that are coupled to one another by a pair of hinges. The middle section has a plurality of drawers stacked one on top of the other and a pair of doors that can be pivoted to an open position to expose the plurality of drawers and the doors can be pivoted to a closed position to conceal the plurality of drawers. For the reasons already given, it is believed that claim 44 is patentable over the references. Claims 68, 69, 86 and 87 are dependent upon already discussed independent claims and are believed to be patentable for at least the same reasons.

In view of the foregoing, Applicant respectfully requests that the Examiner withdraw the rejections with respect to the independent claims. As the dependant claims are dependant directly or indirectly upon the amended independent claims, they are believed to be patentable for at least the same reasons as already discussed with reference to the independent claims. Thus, the Examiner is also respectfully requested to withdraw the rejections with respect to the dependant claims.

It is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested. The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,



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